



A. ADMINISTRATIVE REPORT & DECISION

DECISION:	<input type="checkbox"/> APPROVED	<input checked="" type="checkbox"/> APPROVED SUBJECT TO CONDITIONS	<input type="checkbox"/> DENIED
REPORT DATE:	May 23, 2017		
Project Name:	Renton Highlands Sewer & Manhole Rehabilitation Phase 1 Noise variance		
Owner:	City of Renton Wastewater utility		
Applicant:	John Hobson, 1055 South Grady Way, Renton, WA		
Contact:	Same as Applicant; 425-430 - 6806		
File Number:	LUA17-000275, V-A		
Project Manager:	Rohini Nair, Civil Engineer III		
Project Summary:	<p>The applicant is requesting a variance from RMC 8-7-2 (Noise Regulations, Maximum Environmental Noise Levels) in order to conduct rehabilitation of two sewer mains at night in areas with residential uses. The rehabilitation work will be done on sewer mains located on Jefferson Avenue NE, just north of its intersection with NE 10th Street. The work is proposed to be completed in two non-consecutive nights between June 16, 2017 and July 15, 2017. The night time work shall be achieved between 10:30 PM and 7:00 AM. The equipment to be used will include pick-up trucks, jetter trucks, generator, and refrigeration trucks. The rehabilitation operation generates approximately 84 dBA noise.</p>		
Project Location:	Jefferson Avenue NE north of intersection with NE 10 th Street		



B. EXHIBITS:

The following exhibits were entered into the record:

- Exhibit 1: Staff Report, dated May 23, 2017
- Exhibit 2: Land use application from the applicant dated May 9, 2017
- Exhibit 3: Submittal documents including applicant's proposed noise mitigation measures
- Exhibit 4: Public comment letter requesting information of dates of night work
- Exhibit 5: Comment response to the public comment letter in Exhibit 4

C. APPLICABLE SECTIONS OF THE RENTON MUNICIPAL CODE:**1. Chapter 7 Noise Level Regulations**

- a. Section 8-7-8: Variances and Appeals

D. FINDINGS OF FACT (FOF):

1. The Planning Division of the City of Renton accepted the above master application for review on May 10, 2017 and determined the application complete on May 11, 2017.
2. The project site is located on Jefferson Avenue NE, north of its intersection with NE 10th Street.
3. The applicant is proposing to do the sewer rehabilitation work on two non-consecutive nights between June 16, 2017 and July 15, 2017.
4. Noise variance requirements are as per RMC 8-7-8.
5. One party of record request was received from the public: One request was received which included a request for information of dates of the proposed night work so that the requester could arrange to leave.

Variance Analysis: The decision maker, in passing upon an application for a variance, shall consider all technical evaluations, all relevant factors and standards specified in other sections of this Chapter, and in addition thereto shall consider the following, none of which is mandatory for the granting of the variance:

Compliance	Variance Criteria and Analysis
✓	<p>a. That the applicant suffers practical difficulties and unnecessary hardship and the variance is necessary because of special circumstances applicable to the applicant's property or project, and that the strict application of this Chapter will deprive the subject property owner or applicant of rights and privileges enjoyed by others.</p> <p><i>Staff Comment:</i> The proposed sewer rehabilitation work will temporarily plug the side sewer to adjacent business. If the sewer rehabilitation work was done during the daytime, the adjacent business will not be able to function. The adjacent business has requested the applicant do the sewer rehabilitation work after the business working hours of 10:30 pm to reduce impact on their business. Considering the request of the adjacent business, the applicant proposes the nighttime work to not impact adjacent business during the rehabilitation work.</p>
✓	<p>b. That the granting of the variance will not be materially detrimental to the public health, welfare or safety, or unduly injurious to the property or improvements in the vicinity of the location for which this variance is sought.</p> <p><i>Staff Comment:</i> Noise impacts would occur during nighttime hours during construction. However, the night work would occur only on two non-consecutive nights, and mitigation measures are proposed by the applicant. Public notification was also provided to residents of the proposed noise variance request. Noise mitigation measures are proposed by the applicant to mitigate the nighttime noise due to the sewer rehabilitation work. Staff recommends that the applicant shall notify the City of Renton noise project manager with the date and areas of expected night work prior to commencement of night work, a minimum of 24 hours in advance of the work.</p>
✓	<p>c. That the approval is a minimum variance that will accomplish the desired purpose.</p>

	<p><i>Staff Comment: Staff believes that the request of two non-consecutive nights is the minimum needed to accomplish the necessary sewer rehabilitation work.</i></p>
✓	<p>d. That the variance contains such conditions deemed to be necessary to limit the impact of the variance on the residence or property owners impacted by the variance. The variance approval may be subject to conditions including, but not limited to, the following:</p> <ul style="list-style-type: none"> a. Implementation of a noise monitoring program; b. Maximum noise levels; c. Limitation on types of equipment and use of particular equipment; d. Limitation on back-up beepers for equipment; e. Required use of noise shields or barriers; f. Restrictions to specific times and days; g. Specific requirements for documentation of compliance with the noise variance conditions; h. Specific requirements for notification to nearby residents; i. Required cash security to pay for inspection services to verify compliance; j. Required access to the project by the City to verify compliance with the noise variance conditions; k. Specific program to allow for temporary hotel vouchers to effected residents; l. Requirements for written verification that all workers understand the noise variance conditions for the project; and m. Provision allowing the City to immediately revoke the variance approval if the variance conditions are violated. <p><i>Staff Comment: Staff believes that the request for two nights work is the minimum needed to accomplish the work associated with phase 1 of the Renton Highlands Sewer and Manhole Rehabilitation Project. The applicant has proposed a noise mitigation program that includes providing advance notification of proposed work to residents within 300 feet of the nighttime work area, implementation of a noise mitigation training program for all field work supervisors, providing a contact number to residents for reporting any nighttime noise concerns, providing disposable ear plugs to residents who have noise concerns, and if all other measures are insufficient to address the concern of the affected residents, providing hotel vouchers to nearest residents during the nighttime rehabilitation work. Staff recommends the implementation of the applicant proposed noise mitigation measures as a condition of approval. Furthermore, the applicant shall provide a summary of any complaints within the City of Renton to the City's project manager, Rohini Nair, rnair@rentonwa.gov within 3 days of the complaint. Staff recommends that idling of the trucks should be minimized and if idling of</i></p>

	<i>the trucks are unavoidable, to locate the idling trucks as far as possible from the residences. Staff also recommends that the applicant shall notify the City of Renton noise project manager with the date and areas of expected night work prior to commencement of night work, a minimum of 24 hours in advance of the work.</i>
✓	<p>e. The importance of the services provided by the facility creating the noise and the other impacts caused to the public safety, health and welfare balanced against the harm to be suffered by residents or property owners receiving the increased noise permitted under this variance.</p> <p><u>Staff Comment:</u> Staff believes that the request is the minimum needed to accomplish the proposed sewer rehabilitation work, as the night time work is for a limited duration of only two nights. The sewer rehabilitation work will plug the side sewers to the adjacent business which will impact the operations of the business during the work day. Performing the sewer rehabilitation work during nighttime will enable the adjacent business to continue its operations without impacts from the rehabilitation work. The applicant is also proposing noise mitigation measures to address any potential noise impacts due to the nighttime work.</p>
✓	<p>f. The availability of practicable alternative locations or methods for the proposed use which will generate the noise.</p> <p><u>Staff Comment:</u> There are no other alternative locations for the Phase 1 of the Renton Highlands Sewer and Manhole Rehabilitation work. The sewer main will be rehabilitated using a process known as "Cured-in-Place Pipe" (CIPP). This process will allow the contractor to rehabilitate all 750 linear feet of this sewer main without any excavation. Staff believes that the request for the two nights of work is the minimum needed to accomplish the necessary work.</p>
✓	<p>g. The extent by which the prescribed noise limitations will be exceeded by the variance and the extent and duration of the variance.</p> <p><u>Staff Comment:</u> Staff believes that the request for the two nights work is the minimum needed to accomplish the necessary sewer rehabilitation work of Phase 1 of the Renton Highlands Sewer and Manhole Restoration Project. The noise generated within 300 feet of the sewer rehabilitation site is approximately 69 dBA. The maximum allowed nighttime Environment Designated Noise Abatement (EDNA) in a commercial receiving property is 47 dBA. The applicant has proposed noise mitigation measures to address the nighttime noise concern. Staff recommends that the applicant's proposed noise mitigation measures be included as a condition of approval.</p>

E. CONCLUSIONS: THE SEWER REHABILITATION NIGHTTIME WORK IS PROPOSED ON JEFFERSON AVENUE, NORTH OF THE INTERSECTION WITH NE 10TH STREET. THE WORK WOULD OCCUR ON 2 NON-CONSECUTIVE NIGHTS OVER TWO MONTHS.

1. The Renton Highlands Sewer and Manhole Rehabilitation Phase 1 Project is proposed on Jefferson Avenue, north of intersection with NE 10th Street.
2. The requested variance meets the seven criteria to be considered in making a decision on a variance request as specified in RMC 8-7-8 if all conditions of approval are met. The analysis of the proposal according to variance criteria is found in the body of the Staff Report.

June 1, 2017

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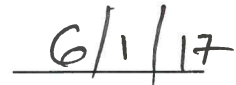
F. DECISION:

Staff recommends that the Noise Variance for the Renton Highlands Sewer & Manhole Rehabilitation Phase 1 project listed in RMC8-7-2, File No. LUA17-000275, V-A be approved subject to the following conditions:

1. The applicant shall provide the City of Renton project manager with the phone number for after-hours noise complaints prior to commencement of construction.
2. The applicant shall implement proposed noise mitigation program including advance notification to residents within 300 feet of the proposed work, implementation of noise mitigation training program for all field work supervisors, providing a contact number to residents for reporting any noise complaints, providing disposable ear plugs to nearest residents who have noise concerns, and if other measures are insufficient to address noise concerns, then provide temporary hotel vouchers to residents during the nighttime rehabilitation work.
3. Idling of the trucks should be minimized and if idling of the trucks are unavoidable, to locate the idling trucks as far as possible from the residences.
4. The applicant shall notify the City of Renton project manager with the date and areas of expected night work prior to commencement of night work, a minimum of 24 hours in advance of the work.
5. The applicant shall provide a summary of any complaints within the City of Renton to the City's noise project manager, Rohini Nair, rnair@rentonwa.gov within 3 days of the complaint. All complaints from within the Renton city limits will be summarized and reported to the City's project manager within 3 days of the complaint.

DATE OF DECISION ON LAND USE ACTION:**SIGNATURE:**

C.E. "Chip" Vincent, CED Administrator



Date

TRANSMITTED this 1st day of June, 2017 to the Owner/Applicant/Contact:

Owner:

City of Renton
1055 S. Grady Way
Renton, WA 98057

Applicant:

John Hobson, City of Renton.
1055 S. Grady Way
Renton, WA 98057

Contact:

John Hobson, City of Renton.
1055 S. Grady Way
Renton, WA 98057

TRANSMITTED this 1st day of June, 2017 to the following:

Jennifer Henning, Planning Director
Brianne Bannwarth, Development Engineering Manager
Craig Burnell, Building official
Vanessa Dolbee, Current Planning Manager
Anjela St. John, Fire Marshal

K. NOISE VARIANCE APPEALS

The administrative land use decision will become final with the date and signature of Community and Economic Development Administrators signature.

APPEAL: This administrative land use decision will become final if not appealed in writing to the City Council on or before 5:00 PM on June 15, 2017. An appeal of the decision must be filed within the 14-day appeal period (RCW 43.21.C.075(3); WAC 197-11-680), together with the required fee to the City Council, City of Renton, 1055 South Grady Way, Renton, WA 98057. RMC 4-8-110.B governs appeals to the City Council and additional information regarding the appeal process may be obtained from the City Clerk's Office, (425) 430-6510.

**DEPARTMENT OF COMMUNITY
AND ECONOMIC DEVELOPMENT**



Planning Division

LAND USE PERMIT MASTER APPLICATION

PROPERTY OWNER(S)

NAME: City of Renton

ADDRESS: 1055 S. Grady Way

CITY: Renton ZIP: 98057

TELEPHONE NUMBER: (425) 430-7279

APPLICANT (if other than owner)

NAME:

COMPANY (if applicable):

ADDRESS:

CITY: ZIP:

TELEPHONE NUMBER:

CONTACT PERSON

NAME: John Hobson

COMPANY (if applicable): City of Renton

ADDRESS: 1055 S. Grady Way

CITY: Renton ZIP: 98057

TELEPHONE NUMBER AND EMAIL ADDRESS:
(425) 430-7279

PROJECT INFORMATION

PROJECT OR DEVELOPMENT NAME:

Renton Highlands Sewer & Manhole Rehab Ph I

PROJECT/ADDRESS(S)/LOCATION AND ZIP CODE:

Jefferson Ave NE from NE 10th St to a point approximately 550 feet northeast. (Near 2804 NE 10th St)

KING COUNTY ASSESSOR'S ACCOUNT NUMBER(S):

N/A

EXISTING LAND USE(S):

ROW

PROPOSED LAND USE(S):

N/A

EXISTING COMPREHENSIVE PLAN MAP DESIGNATION:

Commercial Mixed Use

PROPOSED COMPREHENSIVE PLAN MAP DESIGNATION
(if applicable)

N/A

EXISTING ZONING:

ROW

PROPOSED ZONING (if applicable):

N/A

SITE AREA (in square feet):

N/A

SQUARE FOOTAGE OF PUBLIC ROADWAYS TO BE
DEDICATED:

N/A

SQUARE FOOTAGE OF PRIVATE ACCESS EASEMENTS:

N/A

PROPOSED RESIDENTIAL DENSITY IN UNITS PER NET
ACRE (if applicable)

N/A

NUMBER OF PROPOSED LOTS (if applicable)

N/A

NUMBER OF NEW DWELLING UNITS (if applicable):

N/A

PROJECT INFORMATION (continued)

NUMBER OF EXISTING DWELLING UNITS (if applicable): N/A
SQUARE FOOTAGE OF PROPOSED RESIDENTIAL BUILDINGS (if applicable): N/A
SQUARE FOOTAGE OF EXISTING RESIDENTIAL BUILDINGS TO REMAIN (if applicable): N/A
SQUARE FOOTAGE OF PROPOSED NON-RESIDENTIAL BUILDINGS (if applicable): N/A
SQUARE FOOTAGE OF EXISTING NON-RESIDENTIAL BUILDINGS TO REMAIN (if applicable): N/A
NET FLOOR AREA ON NON-RESIDENTIAL BUILDINGS (if applicable): N/A
NUMBER OF EMPLOYEES TO BE EMPLOYED BY THE NEW PROJECT (if applicable): N/A

PROJECT VALUE:	
IS THE SITE LOCATED IN ANY TYPE OF ENVIRONMENTALLY CRITICAL AREA, PLEASE INCLUDE SQUARE FOOTAGE (if applicable):	
<input type="checkbox"/> AQUIFIER PROTECTION AREA ONE	
<input type="checkbox"/> AQUIFIER PROTECTION AREA TWO	
<input type="checkbox"/> FLOOD HAZARD AREA	_____ sq. ft.
<input type="checkbox"/> GEOLOGIC HAZARD	_____ sq. ft.
<input type="checkbox"/> HABITAT CONSERVATION	_____ sq. ft.
<input type="checkbox"/> SHORELINE STREAMS & LAKES	_____ sq. ft.
<input type="checkbox"/> WETLANDS	_____ sq. ft.

LEGAL DESCRIPTION OF PROPERTY

(Attach legal description on separate sheet with the following information included)

SITUATE IN THE _____ QUARTER OF SECTION 9, TOWNSHIP 23, RANGE 5E, IN THE CITY OF RENTON, KING COUNTY, WASHINGTON

AFFIDAVIT OF OWNERSHIP

I, (Print Name/s) John Hobson, declare under penalty of perjury under the laws of the State of Washington that I am (please check one) ☐ the current owner of the property involved in this application or ☒ the authorized representative to act for a corporation (please attach proof of authorization) and that the foregoing statements and answers herein contained and the information herewith are in all respects true and correct to the best of my knowledge and belief.

Signature of Owner/Representative

Date _____

Signature of Owner/Representative

Date _____

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

I certify that I know or have satisfactory evidence that _____ signed this instrument and acknowledge it to be his/her/their free and voluntary act for the uses and purpose mentioned in the instrument.

Dated

Notary Public in and for the State of Washington

Notary (Print):

My appointment expires:

M E M O R A N D U M

DATE: May 9, 2017
TO: Jennifer Henning, CED Planning Director
FROM: John Hobson, Wastewater Utility, x7279
SUBJECT: **Noise Variance Request - Renton Highlands Sewer & Manhole Rehabilitation Phase I**

The City of Renton Wastewater Utility is requesting two non-consecutive nights of temporary noise variance to complete the rehabilitation of two sewer mains located on Jefferson Avenue NE just north of its intersection with NE 10th Street. We are asking for relief from the requirements of the Renton Municipal Code, Title VIII – Health Sanitation – Chapter 7 and Noise Level Regulations, as per section 8-7-2 and the Washington State Administration Code (WAC) Chapter 173-60, allowing the City’s contractor to work at night. The rehabilitation of these two sewers are scheduled to occur between June 16, 2017 and July 15, 2017.

Project Narrative:

Insituform Technologies, LLC is currently under contract with the City of Renton to rehabilitate approximately 750 linear feet of old concrete sanitary sewer main in the 1000 block of Jefferson Ave NE. This sanitary sewer main was installed in 1942 and it shows signs of significant corrosion along with many cracks and holes.

This sewer main will be rehabilitated using a process known as “Cured-in-Place Pipe” (CIPP). This process will allow the contractor to rehabilitate all 750 linear feet of this sewer main in one day without any excavation. However, during this process, the adjacent side sewers are plugged for up to eight hours and therefore sewer service is unavailable.

Special Circumstances:

There is a laundromat at 2804 NE 10th Street that is adjacent to the sewer main that will be rehabilitated. Since the CIPP process will temporarily plug their side sewer, it is impossible to keep the laundromat in operation during its business hours of 10:00 AM-10:30 PM. In order to keep the laundromat in operation, the City is proposing to perform the rehabilitation of the adjacent sewer at night.

Table 1 Equipment Sound Levels (dBA)

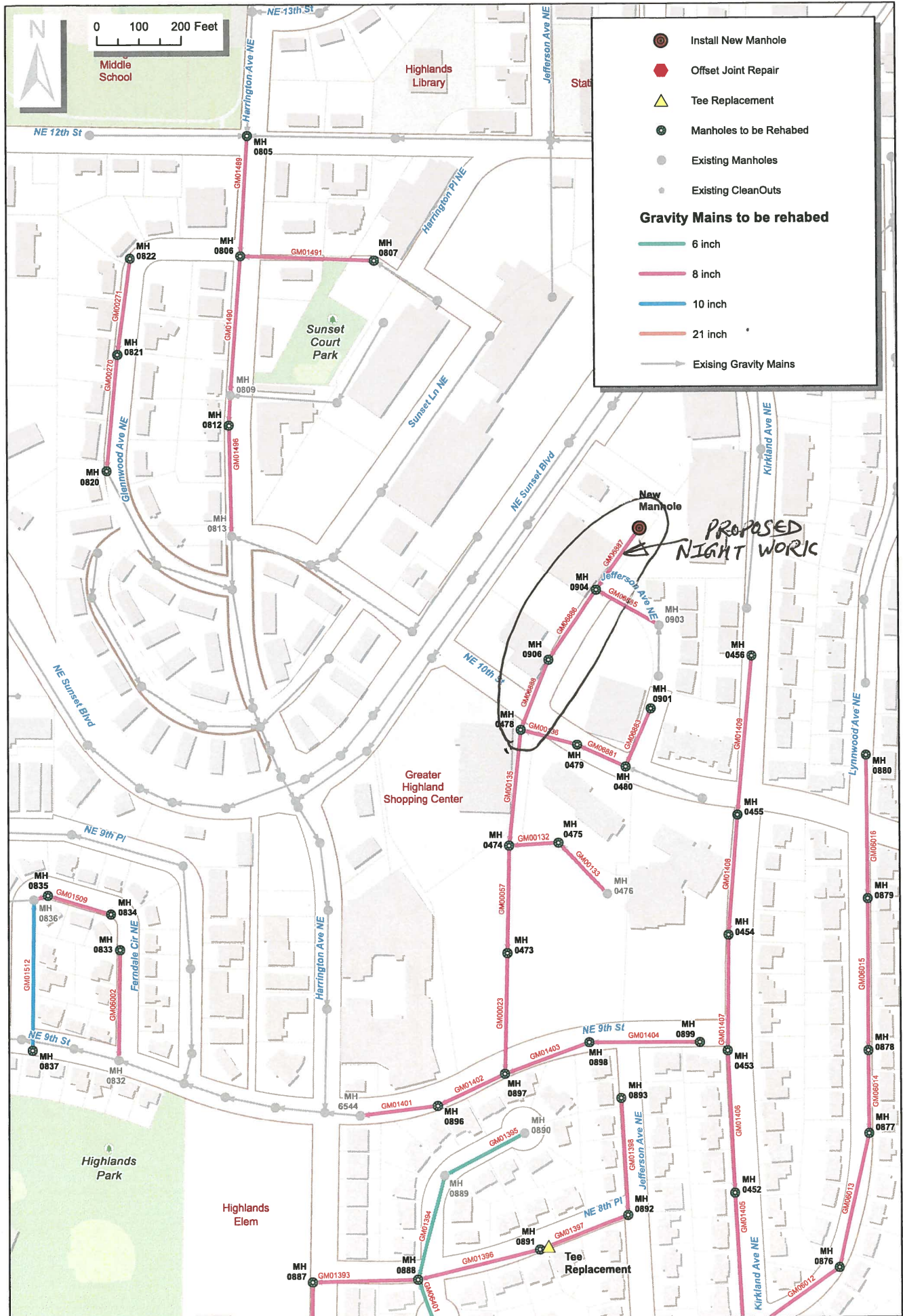
Equipment	Approx. Sound Level (dBA) at 50 feet	Approx. Sound Level (dBA) at 100 feet	Approx. Sound Level (dBA) at 200 feet	Approx. Sound Level (dBA) at 300 feet
Pick-up Truck	68	62	57	54
Jetter Truck	84	78	72	69
Generator	77	71	65	62
Refrigeration Truck	78	72	66	63

Proposed Nighttime Noise Mitigation Measures

To limit the potential effect of construction-related noise at the residences near the CIPP operation, several noise mitigation measures have been considered. The other mitigation measures listed below can be considered as part of a best management practice plan.

- Give at least 72 hour advance notice to nearby residents of the time periods when particularly noisy work and potential nighttime construction activities (e.g. pullback) will be occurring through mailers, door hangers, or other similar notification methods.
- Create and utilize a noise mitigation training program, which shall be implemented for all field-worker supervisory personnel including sub-contractor supervisors.
- For residents near the construction, provide disposable ear plugs at their request.
- Provide the City of Renton's inspector's phone number to nearby residents in case of construction related issues.
- If the above measures are determined to be insufficient, provide hotel vouchers to the nearest residents during nights when the construction activity would occur.

Renton Highlands Sewer & Manhole Rehabilitation Ph. I



If you would like to be made a party of record to receive further information on this proposed project, complete this form and return to: City of Renton, CED, Planning Division, 1055 South Grady Way, Renton, WA 98057.

File Name / No.: Noise Variance for Renton Highlands Sewer & Manhole Rehabilitation Phase 1/ LUA17-000275, V-A

NAME: Gay Kiesling
MAILING ADDRESS: 3030 NE 10th St, #407 CITY/STATE/ZIP: Renton, WA 98056
TELEPHONE NO.: 425 306 1614 Requesting date(s) of night work
so I can arrange to leave.

Denis Law Mayor



May 30, 2017

Community & Economic Development C. E. "Chip" Vincent, Administrator

Gay Kiesling
3030 NE 10th Street
Renton, WA 98056

SUBJECT: RENTON HIGHLANDS SEWER & MANHOLE REHABILITATION PHASE 1 NOISE
VARIANCE COMMENT RESPONSE LETTER
LUA17-000275, V-A

Dear Gay Kiesling:

Thank you for your comment regarding the Renton Highlands Sewer & Manhole Rehabilitation Phase 1 Noise Variance; received on May 23, 2017 wherein you requested information regarding dates of night work so that you can arrange to leave. Your letter will be added to the public record. The applicant, the City of Renton Wastewater section, will be notified to inform you of the proposed work dates prior to night work.

Thank you for interest in this project and if you have any further questions please feel free to contact me at 425-430-7298 or rnair@rentonwa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Rohini Nair".

Rohini Nair
Civil Engineer

cc: File LUA17-000275, V-A

EXHIBIT 5